

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
EASTERN DIVISION**

**SHUQUALAK LUMBER CO., INC.**

**PLAINTIFF**

**VS.**

**CIVIL ACTION NO. 1:08CV297-P-S**

**FRANCES JEAN LEWIS HARDIN,  
JOANN WHITE BROOKS, ADMINISTRATRIX OF  
THE ESTATE OF KENNETH LEWIS,  
AND ALL KNOWN AND UNKNOWN HEIRS OF  
KENNETH LEWIS**

**DEFENDANTS**

**ORDER ADOPTING REPORT AND RECOMMENDATION**

On consideration of the file and record of this action, the court finds that the Report and Recommendation of the United States Magistrate Judge dated July 22, 2009, was on that date duly served electronically upon counsel for the parties; that more than ten days have elapsed since service of said Report and Recommendation; and that no objection thereto has been filed or served by any party. The court is of the opinion that the magistrate judge's Report and Recommendation should be approved and adopted as the opinion of the court. It is, therefore

**ORDERED:**

1. That the Report and Recommendation of the United States Magistrate Judge dated July 22, 2009, is hereby approved and adopted as the opinion of the court.
2. That the plaintiff, Shuqualak Lumber Company, Inc., is hereby granted a default judgment against the defendant, Joann White Brooks, for the relief requested in the plaintiff's Complaint in Interpleader.
3. That Joann White Brooks, as Administratrix of the Estate of Kenneth Lewis, is hereby dismissed from this action as an interested stakeholder and that any potential claim said

defendant may have against Shuqualak with regard to the subject interpleaded funds is hereby discharged.

**THIS**, the 28<sup>th</sup> day of August, 2009.

/s/ W. Allen Pepper, Jr. \_\_\_\_\_  
W. ALLEN PEPPER, JR.  
UNITED STATES DISTRICT JUDGE